IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

WP(C).No. 26199 of 2006(R)

PETITIONER:

K.K.SHAMSUDHEEN,
KARIVELITHUNDIYIL HOUSE, KOTTE CANAL ROAD,
COCHIN-18.

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:

THE REGISTERING AUTHORITY
(REGIONAL TRANSPORT OFFICER), ERNAKULAM.

BY GOVERNMENT PLEADER SMT.D.P.RENU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITONER'S EXTS:

EXT.P1 TRUE COPY OF THE RELEVANT PORTION OF THE R.C.BOOK OF THE PETITIONER'S GOODS VEHICLE NO. KCT 3087.

EXT.P2 TRUE EXTRACT OF THE CLEARANCE CERTIFICATE NO.C1/006119/NTA/06 ISSUED BDY THE JOINT RTO, NEYYATTINKARA.

EXT.P3 TRUE COPY OF THE APPLICATION IN FORM 29 AND 30 FOR TRANSFER OF VEHICLE SUBMITTED BY THE PETITIONER.

EXT.P4 TRUE COPY OF THE ORDER LNO.7/74957/2006/E DTD. 8/8/2006 ISSUED BY THE RESPONDENT TO THE PETITIONER.

P.R.RAMAN,J.

W.P.(C).NO.26199 OF 2006

Dated this the 8th day of January, 2007

JUDGMENT

Ext.P1 is a certificate of registration issued in the name of one S.Narayanan Nair, the then registered owner of the vehicle. The details shown in Ext.P1 would show that this is a goods vehicle and that is fitted with generator. The petitioner subsequently purchased the said vehicle and applied for transfer of ownership. Ext.P3 is the application filed under Form 29. But by Ext.P4 order the registering authority rejected the application as though it is an application for alteration. As regards Ext.P4 is concerned, there is no challenge as such. But prays that for consideration of Ext.P3, Ext.P4 order shall not stand in the way. If the petitioner

has applied for any alteration of the vehicle and the same stands rejected by Ext.P4, no interference is made to Ext.P4 in that regard. However, if the vehicle is a goods vehicle fitted with generator as shown in Ext.P1, in respect of which any transfer of ownership is sought for as per Ext.P3, the same shall considered and disposed of in accordance with law, within a period of one month.

Writ Petition is disposed of as above.

P.R.RAMAN,
Judge.

kcv.